

**FACTSHEET**

**2004 General Election  
State Constitutional & County Charter Amendment Questions**

**AMENDMENTS TO THE STATE CONSTITUTION  
PROPOSED BY THE TWENTY-SECOND LEGISLATURE**

1. Shall the Constitution of the State of Hawaii be amended to provide that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes?  
(H.B. 2789, H.D.1, S.D.1)
2. Shall the Constitution of the State of Hawaii be amended to provide that the public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses, and that the legislature shall determine which offenses are subject to this provision, what information constitutes registration information to which the public has a right of access, the manner of public access to the registration information, and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access?  
(S.B. 2843, S.D.1, H.D. 2)
3. Shall the Constitution of the State of Hawaii be amended to permit the legislature to provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional?  
(S.B. 2846, S.D.1, H.D. 2)
4. Shall Hawaii's constitutional provision regarding the initiation of criminal charges be amended to permit criminal charges for felonies to be initiated by a legal prosecuting officer through the filing of a signed, written information setting forth the charge in accordance with procedures and conditions to be provided by the state legislature?  
(S.B. 2851, S.D. 1)

**FACTSHEET**

**CITY & COUNTY OF HONOLULU**  
**Charter Amendment Questions for the 2004 General Election**

**AMENDMENTS TO THE CHARTER OF  
THE CITY AND COUNTY OF HONOLULU  
PROPOSED BY THE CITY COUNCIL**

1. Shall the Revised City Charter be amended to:
  - (1) Place the employee positions, other than the Executive Secretary position, for the Neighborhood Commission within the civil service system; and
  - (2) Confer civil service status on the qualified incumbents occupying those employee positions without necessity of examination?
2. Shall the Revised City Charter be amended to require at least five of the nine appointees to the Neighborhood Commission to have served at least one full term on a neighborhood board?
3. Shall the Revised City Charter be amended to authorize the appointment of a temporary replacement for a Councilmember who, as a member of the military reserve or guard, is called to active duty for a period in excess of 180 consecutive days out of the State of Hawaii?
4. Shall the Revised City Charter be amended as follows:
  - (1) To specify that a charter commission be appointed after November 1 of every year ending in a "4", but before the immediate following February 1;
  - (2) To make an exception for the 2005 charter commission, which is intended to be appointed by December 1, 2004; and
  - (3) To make conforming amendments?

**FACTSHEET**

**COUNTY OF KAUAI**  
**Charter Amendment Question for the 2004 General Election**

**AMENDMENT TO THE CHARTER OF  
THE COUNTY OF KAUAI**

“Shall the Kaua’i County Charter be amended by the addition of a new Article XXXI to read:

ARTICLE XXXI. RESIDENT PROPERTY TAXES. Section 31.01. Resident Property Taxes.

It is the policy of the County that resident taxpayers should be equitably protected when there are significantly rising real estate values and government costs. Therefore, for County residents who have owned and occupied their place of residence beginning in or before the fiscal year 1998-1999, then for the next fiscal year after the adoption of this section real property taxes with respect to such residence shall not exceed the amount of such tax assessed for the 1998-1999 fiscal year. For County residents acquiring their place of residence after the fiscal year 1998-1999 their real property taxes with respect to such residence for the next fiscal year after the adoption of this section shall not exceed the amount of tax assessed for the fiscal year the ownership and residence commences. For all such taxpayers in no fiscal year after the year in which the tax was restored to the amount in 1998-1999 or the year of acquisition, whichever is applicable, shall the percentage increase in real property tax with respect to such residence exceed the lesser of the percentage rate applicable at the commencement of such fiscal year for cost of living adjustments in retirement benefits by the Social Security Administration, or two percent (2%). Promptly following its adoption the County shall notify in writing all owners of residential property in its property tax records of the principal terms of this section. The County shall adopt such ordinances, laws, rules and regulations as are necessary to carry out and are consistent with the purpose of the foregoing policy and the terms of this section.